

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application.

Claims 1-10 are pending. Claims 1, 7 and 8 are independent. Claims 1-10 are amended.

Reconsideration of the application, as amended, is respectfully requested.

Claim Rejections Under 35 USC §102(b)

Claims 1-10 are rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 2,395,108 to Donley et al. Claims 1, 2, and 7 are rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 3,976,154 to Clark et al, U.S. Patent No. 5,860,889 to Schlosser et al., U.S. Patent No. 4,914,979 to Balmforth, and U.S. Patent No. 4,050,534 to Nelson et al. These rejections are respectfully traversed.

While not conceding the appropriateness of the rejections, but merely to expedite the prosecution of the instant application, independent claim 1 is amended to recite a combination of elements in a driveline for a vehicle including a “second output being driveably connected through an input pinion to an axle differential unit within the housing” and an “output shaft and said input pinion being on substantially the same rotational axis.”

Independent claim 7 is amended to recite a combination of elements in a vehicle driveline through-drive axle unit, including a “second output being driveably connected through an input pinion to an axle differential unit within the housing” and an “output shaft for onward drive

transmission being on substantially the same rotational axis as the input pinion to the axle differential unit.”

Independent claim 8 is amended to recite a combination of elements in an integrated transfer box and through a drive unit including a “second differential unit second output being driveably connected to an axle differential unit mounted within the casing and having first and second drive outputs which project outwardly of the casing for connection to wheels of a vehicle.”

It is respectfully submitted that the combinations of elements recited in independent claims 1, 7, and 8, as amended, are not disclosed or made obvious by the applied prior art of record, including Donley et al., Clark et al., Schlosser et al., Balmforth or Nelson et al.

Donley et al. discloses a drive for multiple axle vehicles in which rear axles 9 and 10 are provided with respective wheels 11 and 12 and differential cases 13 and 14 at opposite sides of the vehicle center, as shown in FIGS. 1 and 2. Power input shaft 25 includes pinions 29 and 31 which connect with gears 28 and 27, respectively, of a differential shaft 43, as shown in FIG. 3. Moreover, a gear 46 of a sleeve shaft 45 meshes with a gear 47 of a sleeve shaft 48. Gears 53 and 54 mesh with pinions 51, and the gear 53 is mounted on a shaft 55. The Office Action appears to equate the output to the gears 46 and 47 in Donley et al. with the claimed “second output” of the first differential unit in the present invention. The Office Action also appears to equate the output from gear 53 with the claimed “second output” of the second differential unit in the present invention. However, Donley et al. does not show a combination of elements in a

driveline for a vehicle incorporating a through-drive axle unit or a vehicle driveline through-drive axle unit including a second output from a first differential unit being connected through an input pinion to an axle differential unit within a housing, where an output shaft and the input pinion are on substantially the same rotational axis (as in claims 1 and 7). Donley et al. also does not show a combination of elements in an integrated transfer box and through-drive for a vehicle driveline including a second output from a second differential unit being connected to an axle differential unit mounted within the casing and having first and second drive outputs which project outwardly of the casing for connection to wheels of a vehicle (as in claim 8). Therefore, Donley et al. does not teach or suggest the above-cited limitations in claims 1, 7 and 8.

As for the remaining cited references, Clark et al. discloses a torque transfer means 28 and 38, a drive shaft means 30 and a cluster gear 43, as shown in FIG. 1. Schlosser et al. discloses a first output drive shaft 50 having an output gear 48 which drives a gear 72 of a drive train which in turn drives a second or forward rear axel 24, as shown in FIG. 2. Balmforth discloses a casing 10 having a driving shaft 40 and a hollow gear 47 and a lay shaft 53 having a gear 56, as shown in FIG. 1. Finally, Nelson et al. discloses a drive axel system including a shaft member 17, a differential side gear 47, a gear member 59, a power divider 39 and a pinion shaft 61 as shown in FIG. 2.

However, as with Donley et al., these references do not teach or suggest the above-cited limitations in claims 1, 7 and 8.

It is respectfully submitted that independent claims 1, 7 and 8 are allowable over the applied prior art of record for at least the foregoing reasons. The dependent claims are allowable at least because the independent claims, from which these claims depend, are allowable, as well as for the further limitations recited therein. Thus, all claims are allowable. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. § 102(b) be withdrawn.

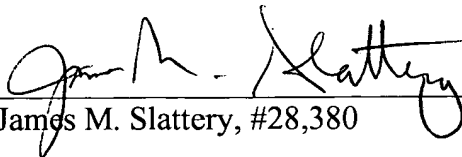
CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Sam Bhattacharya (Reg. No. 48,107) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery, #28,380

S8
JMS/SB:mmi
1817-0119P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000